

House File 654 - Introduced

HOUSE FILE 654

BY COMMITTEE ON WAYS AND MEANS

(SUCCESSOR TO HF 211)

A BILL FOR

- 1 An Act related to moneys administered by the board of trustees
- 2 of a drainage or levee district.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 468.528, Code 2011, is amended to read
2 as follows:

3 **468.528 Disbursement of funds.**

4 Drainage and levee taxes when so levied and collected shall
5 be kept by the treasurer of the county in a separate fund to
6 the credit of the district for which it is collected, ~~shall be~~
7 ~~expended~~. The county treasurer shall disburse the moneys in
8 the fund only upon the any of the following:

9 1. The orders of the board of trustees, signed by the
10 president of the board, upon which warrants shall be drawn by
11 the auditor upon the treasurer.

12 2. For drainage and levee districts with pumping stations,
13 by orders of the board of trustees directing the treasurer to
14 place all or any part of the moneys into a checking account
15 established by the board in a bank or credit union as defined
16 in section 12C.1.

17 a. The treasurer shall disburse the moneys only upon
18 resolution duly adopted by the board. The board shall not
19 expend moneys in the account for a purpose if the board could
20 not order the county treasurer to expend moneys from the
21 county's separate fund for that same purpose.

22 b. The board shall file with the county auditor an annual
23 financial statement that is accompanied by an unqualified
24 opinion based upon an audit of the account performed by
25 a certified public accountant licensed in this state.
26 Notwithstanding paragraph "a", the board shall pay the costs
27 associated with performing the audit out of the district's
28 moneys.

29 Sec. 2. Section 468.531, Code 2011, is amended to read as
30 follows:

31 **468.531 Compensation — statements required.**

32 The compensation of the trustees and the clerk of the board
33 is hereby fixed at ~~forty~~ an amount not to exceed two hundred
34 dollars per day each and necessary expenses, to be paid out
35 of the funds of the drainage or levee district for each day

1 necessarily expended in the transaction of the business of the
 2 district, but no one shall draw compensation for services as
 3 trustee and as clerk at the same time. The board of trustees of
 4 a district may by resolution establish for themselves and for
 5 the clerk of the district a lower rate of pay than is fixed by
 6 this section. They shall file with the auditor or auditors,
 7 if more than one county, itemized, verified statements of
 8 their time devoted to the business of the district and of the
 9 expenses incurred.

10

EXPLANATION

11 GENERAL. This bill provides for the management of a drainage
 12 or levee district by a three-member board of trustees elected
 13 by landowners who are assessed taxes to pay for district
 14 improvements (Code section 468.500).

15 CONTROL OF ASSESSED TAXES. Moneys levied and collected
 16 in taxes are deposited in a special county drainage or levee
 17 fund controlled by the county treasurer who is authorized to
 18 invest such moneys and make disbursements to pay for district
 19 expenses (e.g., repairs and improvements) as authorized by the
 20 board (Code sections 468.54 and 468.528). The bill allows the
 21 board of a district having a pumping station (Code chapter 468,
 22 subch. II, pt. 5) to direct the county treasurer to deposit all
 23 or any part of such moneys into a checking account established
 24 in a financial institution for the board's use to manage the
 25 district. The board must at its own expense employ a certified
 26 public accountant to perform an annual audit of the account.

27 INCREASE IN COMPENSATION. The bill increases the amount
 28 of compensation paid to a trustee or clerk of the board of
 29 trustees from \$40 to an amount not to exceed \$200 per day (Code
 30 section 468.531).